

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

_____	)	
	)	
RICHARD BROWN <i>et alia</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. NO. 05-10188-MEL
	)	
SUFFOLK COUNTY,	)	
Defendant.	)	
_____	)	

and

_____	)	
	)	
GIUSEPPE MAROTTA <i>et al.</i> ,	)	
	)	
Plaintiff	)	
	)	
v.	)	C.A. NO. 05-10032-MEL
	)	
SUFFOLK COUNTY,	)	
Defendant	)	
_____	)	

**PLAINTIFFS' MOTION TO CONSOLIDATE THEIR ACTIONS IN A  
MOTION FOR PARTIAL SUMMARY JUDGMENT AS TO LIABILITY ON  
COUNT I OF THEIR COMPLAINTS**

Now come the Plaintiffs, and move to consolidate their actions for consideration in the accompanying Motion for Summary Judgment, memoranda, and exhibits in support of the same. In support thereof, the Plaintiffs in the above-captioned cases are unionized corrections officers employed by the same Defendant, Suffolk County. The officers in 05-10032-MEL are line officers; the officers in 05-10188-MEL are superior

officers. In Count I of their related complaints, the Plaintiffs make identical claims under an identical theory of recovery for unpaid overtime under the Fair Labor Standards Act, 29 U.S.C. § 207(a)(1). The rulings of law the court must make in order to consider granting the Plaintiffs the relief they have requested are thus identical. The consolidation of these cases is therefore in the interest of judicial economy, and the interest of preserving the parties' resources.

Respectfully submitted,

THE PLAINTIFFS

By their attorney,

s/Daniel W. Rice

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Dated: November 15, 2007

#### **CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on November 15, 2007.

/s/ Daniel W. Rice

Daniel W. Rice